

**Moultonborough Zoning Board of Adjustment**  
**P.O. Box 139**  
**Moultonborough, NH 03254**  
**(603) 476-2347**

Date filed \_\_\_\_\_

\_\_\_\_\_  
(signed – ZBA)

## **Application for an Equitable Waiver of Dimensional Requirements**

Name of applicant: \_\_\_\_\_

Address: \_\_\_\_\_

Owner: \_\_\_\_\_  
(if same as applicant, write “same”)

Location of property: \_\_\_\_\_  
(Street, number, tax map & lot number)

NOTE: This application is not acceptable unless all required statements have been made. Additional information may be supplied on a separate sheet if the space provided is inadequate.

### **APPLICATION FOR AN EQUITABLE WAVIER OF DIMENSIONAL REQUIREMENTS**

An Equitable Waiver of Dimensional Requirements is requested from article \_\_\_\_\_  
paragraph \_\_\_\_\_ of the zoning ordinance to permit \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

1. Does the request involve a dimensional requirement, not a use restriction?  
( ) yes ( ) no

2. Explain how the violation has existed for 10 years or more with no enforcement action, including written notice, being commenced by the town \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

or

Explain how the nonconformity was discovered after the structure was substantially completed or after a vacant lot in violation had been transferred to a bona fide purchaser \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_ and how the violation was not an outcome of ignorance of the law or a bad faith but resulted from a legitimate mistake

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3. Explain how the nonconformity does not constitute a nuisance nor diminish the value or interfere with future uses of the property in the area \_\_\_\_\_

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4. Explain how the cost of correction far outweighs any public benefit to be gained \_\_\_\_\_

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Applicant \_\_\_\_\_ Date \_\_\_\_\_  
(Signature)

The undersigned hereby applies for the granting of said **Equitable Waiver of Dimensional Requirements**. Under penalties of perjury, I/we represent that to the best of my/our knowledge, the data and information hereby submitted to obtain an Equitable Waiver of Dimensional Requirements from the Town of Moultonborough's Zoning Board of Adjustment is true and correct. It is understood that an action based on incorrect data may be subject to revocation. The Zoning Board of Adjustment may request that positive proof of ownership be presented with an application for Equitable Waiver of Dimensional Requirements.

**Application for Equitable Waiver of Dimensional Requirements**  
**Fee Schedule**

All checks should be made payable to the Town of Moultonborough and should be attached with the Fee Schedule to the Application for Equitable Waiver of Dimensional Requirements.

**Fee Schedule**

Equitable Waiver of Dimensional Requirements	\$ 100.00
Letters to Abutters (Exclusive of Postage)	2.00 Each
Advertisement	\$ 75.00

The fees listed above must be received before the Board will consider an application. All abutter letters shall be received at the time of application with the form letter filled out ready for signature, postage applied and all certified mail cards and receipts prepared. Postage will be the responsibility of the applicant.

**Minutes**

Copies of the minutes and other public information will be made available upon receipt of \$.50 per page and the required postage.

**Total**

Equitable Waiver of Dimensional Requirement	_____
Advertisement Fee	\$ 75.00
Number of Abutter Letters X \$2.00 (Not including postage)	_____
Total	\$ _____

Have all the necessary fees been paid by the applicant?

Yes \_\_\_\_\_

No \_\_\_\_\_

## Abutters List

Name of Applicant: \_\_\_\_\_

Property Concerned: Tax Map \_\_\_\_\_

Lot Number \_\_\_\_\_

**All abutters must be notified of the scheduled hearing by certified mail. Said notices to be mailed by the Zoning Board of Adjustment at the expense of the applicant not less than 5 days prior to the scheduled hearing.**

### Definition of "Abutter" (RSA 672:3)

"Abutter" means any person whose property is located in New Hampshire and adjoins or is directly across the street or stream from the land under consideration by the local land use board. For purposes of receiving testimony only, and not for purposes of notification, the term "abutter" shall include any person who is able to demonstrate that his land will be directly affected by the proposal under consideration. For purposes of receipt of notification by a municipality of a local land use board hearing, in the case of an abutting property being under a condominium or other collective form of ownership, the term abutter means the officers of the collective or association, as defined in RSA 356-B:3, XXIII. For purposes of receipt of notification by a municipality of a local land use board hearing, in the case of an abutting property being under a manufactured housing park form of ownership as defined in RSA 205-A:1, II, the term "abutter" includes the manufactured housing park owner and the tenants who own manufactured housing which adjoins or is directly across the street or stream from the land under consideration by the local land use board.

The following are abutters to the above property: (Attach additional sheets with page numbers as needed.)

1. Tax Map \_\_\_\_\_ Lot Number \_\_\_\_\_  
**OWNER/APPLICANT**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

2. Tax Map \_\_\_\_\_ Lot Number \_\_\_\_\_  
**AGENT (if applicable)**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

3. Tax Map \_\_\_\_\_ Lot Number \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

4. Tax Map \_\_\_\_\_ Lot Number \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

5. Tax Map \_\_\_\_\_ Lot Number \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

6. Tax Map \_\_\_\_\_ Lot Number \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

7. Tax Map \_\_\_\_\_ Lot Number \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

**MOULTONBOROUGH ZONING BOARD OF ADJUSTMENT**  
**P.O. BOX 139**  
**MOULTONBOROUGH, NEW HAMPSHIRE 03254**  
**(603) 476-2347**

DATE

**Certified Mail - Return Receipt Requested**

Dear Abutter,

The Moultonborough Zoning Board of Adjustment will hold a Public Hearing on  
Leave Blank to consider an application for **Name of Applicant, Tax Map Lot**, (Location  
of property) for a

\_\_\_\_\_ Variance

\_\_\_\_\_ Special Exception To Article \_\_\_\_\_ Paragraphs \_\_\_\_\_

of the Zoning Ordinance. This Hearing will be the \_\_\_\_\_ hearing scheduled at this meeting which  
begins at 7:00 P.M.

Applicant proposes to \_\_\_\_\_ Fill in what you propose to do \_\_\_\_\_

This Hearing will be held at the Town Offices. You are an abutter to this land and if you wish to  
be heard, please either attend the Hearing or send a letter or representative.

For further information you may call the Office of Development Services Monday - Thursday  
7:30 AM - Noon & 12:30 PM - 4:00 PM, Friday 7:30 AM – 11:30 AM, at (603) 476-2347.

Very truly yours,

Robert H. Stephens  
Chairman

RHS/blw

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**P.O. BOX 139**  
**MOULTONBOROUGH, NEW HAMPSHIRE 03254**  
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**Certified Mail - Return Receipt Requested**

Dear Abutter,

The Moultonborough Zoning Board of Adjustment will hold a Public Hearing on \_\_\_\_\_ to consider an application for \_\_\_\_\_, Tax Map  
Lot \_\_\_\_\_, \_\_\_\_\_ for a

\_\_\_\_\_ Variance

\_\_\_\_\_ Special Exception To Article \_\_\_\_\_ Paragraphs \_\_\_\_\_

of the Zoning Ordinance. This Hearing will be the \_\_\_\_\_ hearing scheduled at this meeting which begins at 7:00 P.M.

Applicant proposes to:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

This Hearing will be held at the Town Offices. You are an abutter to this land and if you wish to be heard, please either attend the Hearing or send a letter or representative.

For further information you may call the Office of Development Services Monday - Thursday 7:30 AM - Noon & 12:30 PM - 4:00 PM, Friday 7:30 AM – 11:30 AM, at (603) 476-2347.

Very truly yours,

Robert H. Stephens  
Chairman

RHS/blw

## **Certified Mail Procedure**

1. Address and apply appropriate fee for certified mail on one business size envelope for each abutter, with return address as:  
  
Moultonborough Zoning Board of Adjustment  
PO Box 139  
Moultonborough, NH 03254.
2. Fill out abutter letter as shown in application package.
3. Fill out "Receipt for Certified Mail".
4. Fill out the Return Receipt Post Card.
5. Place under envelope flap, "Receipt for Certified Mail" and Return Receipt Post Card together and submit to the Land Use Office with your application and check for hearing.

### **Do Not Stuff or Seal Envelopes**

Apply proper postage for current US Postal rates for First Class Mail, Certified Mail Fee and Return Receipt Fee.



## **Certified Return**

1. Abutter's Name and Address
2. Record Article Number  
(Transfer sticker number from top portion of certified mail receipt)
3. Service Type: Check box for Certified Mail
4. Address front of card "Sender" as

Moultonborough Zoning Board of Adjustment  
PO Box 139  
Moultonborough, NH 03254

**Moultonborough Zoning Board of Adjustment**  
**P.O. Box 139**  
**Moultonborough, New Hampshire 03254**

**Authority for Inspection Or Examination Of Land**

The undersigned hereby authorizes the Town of Moultonborough's Zoning Board of Adjustment, its members, officers, agents, employees, advisors or other in their company, to enter upon the property of \_\_\_\_\_ Tax Map \_\_\_\_ Lot # \_\_\_\_\_.

This property is the subject of an application presently pending before the Zoning Board of Adjustment. The purpose of the inspection is to conduct an examination or gather information in connection with said application.

The source of my authority to allow access to this property is:

Sole Owner: \_\_\_\_\_

Co-Owner: \_\_\_\_\_

Other (Explain): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

I understand and agree that such inspection or examination may take place on more than one occasion, and may be conducted by more than one person.

Notice(s) regarding this inspection may be given to me by regular mail at the following address:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Date \_\_\_\_\_

Signature \_\_\_\_\_

# Moultonborough Planning Board And Zoning Board of Adjustment

## Office Hours

Monday through Thursday 7:30 A.M. To 12:00 P.M.  
12:30 P.M. To 4:00 P.M.

Friday 7:30 A.M. To 11:30 A.M.

## Meetings

## Zoning Board

First and Third Wednesday of Each Month  
7:00 P.M. At The Moultonborough Town Offices,  
Unless Otherwise Specified

## Planning Board

Second and Fourth Wednesday of Each Month  
7:00 P.M. At The Moultonborough Town Offices,  
Unless Otherwise Specified

For Information, Please Call:

Bonnie L. Whitney  
Administrative Assistant  
476-2347



## **Town of Moultonborough Office of Development Services Fee Schedule**

### **Planning Board Fees**

**(Effective August 1, 2010)**

#### **Major Subdivision (3 or more lots)**

**\$300 + \$100 per newly created lot**

#### **Minor Subdivision (2 lots w/no further subdivision)**

**\$275**

#### **Site Plan Review**

**\$250**

#### **Boundary Line Adjustment**

**\$200**

#### **Voluntary Merger**

**\$0**

#### **Special or Conditional Use Permit (fee waived if part of concurrent application)**

**\$100**

#### **Plat Registration**

***Applicants are responsible for all recording fees.***

All Plats, Notices of Decision and Planning Board required documents are required to be recorded by the applicant at the Carroll County Registry of Deeds. Copies of all recorded documents shall be submitted back to the Town after recording at applicant's expense.

### **Zoning Board Fees**

**(Revised May 12, 2008)**

#### **Application & Hearing Fees**

##### **Variance**

**\$100**

##### **Special Exception**

**\$100**

**Equitable Waiver of Dimensional Requirements**

**\$100**

**Re-Hearing**

**\$100 - Hearing Fee**

**Appeal of Administrative Decision Fees**

**\$200 - Application Fee (Non-Refundable)**

**\$200 - Hearing Fee**

**\$200 - Re-Hearing Fee (If Granted by ZBA)**

**Plat Registration**

*Applicants are responsible for all recording fees.*

All Zoning Board required documents are required to be recorded by the applicant at the Carroll County Registry of Deeds. Copies of all recorded documents shall be submitted back to the Town after recording at applicant's expense.

**Abutters Notices for all Planning & Zoning Applications**

\$2 per Abutter + postage, certified mail, return receipt requested.

**Advertisement Fee for all Planning & Zoning Applications**

**\$75**

**Hard Copies**

**\$0.50 per page.**

**Electronic Document Transmittal**

**\$5.00 per transmitted document**